



**CITY OF SUNNYVALE
REPORT
Planning Commission**

July 12, 2004

SUBJECT: **2004-0365 - Deborah Ungo-McCormick** [Applicant]
Hardage Hotels I, LLC [Owner]: Application for related
proposals on a 2.4-acre site located at **635 East El Camino
Real** in a C-2/PD (Highway Business/Planned Development)
Zoning District. (Negative Declaration) (APN: 211-08-030) SL

Resolution **General Plan Amendment** to change the land use
designation from Commercial General Business to Medium-
Density Residential, and

Introduction of **Rezone** from C-2/PD (Highway Business/Planned
an Ordinance Development) to R-3/ECR (Medium-Density Residential/El
Camino Real Precise Plan) Zoning District, and

Motion **Special Development Permit** to allow the re-configuration
of an 88-room hotel into 58 condominium ownership units,
and

Motion **Tentative Map** to subdivide one lot into 58 lots and one
common lot.

REPORT IN BRIEF

Existing Site 88 room hotel comprised of two story buildings.

Conditions

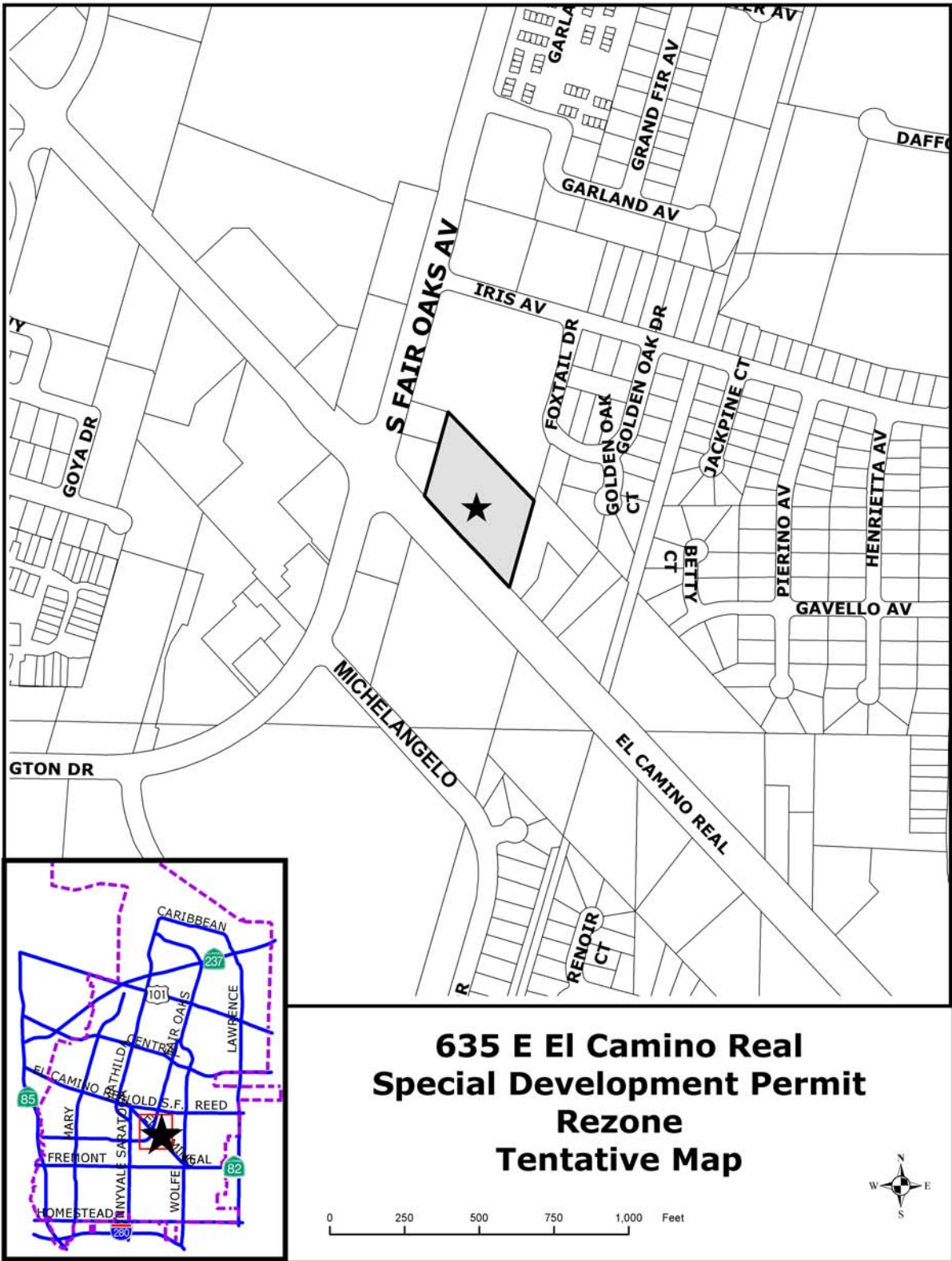
Surrounding Land Uses

| | |
|-------|-------------------------------------|
| North | High Density Residential Apartments |
| South | Commercial Businesses |
| East | Commercial Businesses |
| West | Commercial Businesses |

Issues Compatibility of the proposed land use with
surrounding land uses on El Camino Real.

Environmental A Negative Declaration has been prepared in
Status compliance with California Environmental Quality
Act provisions and City Guidelines.

Staff Approval with conditions
Recommendation



PROJECT DATA TABLE

| | <u>EXISTING</u> | <u>PROPOSED</u> | <u>REQUIRED/ PERMITTED</u> |
|---------------------------------------|---|--|---------------------------------------|
| General Plan | Commercial General Business | Medium Density Residential | General Plan Amendment |
| Zoning District | C-2/PD Highway Business, Planned Development | R-3/ECR Medium Density Residential, El Camino Real Precise Plan | Rezone |
| Density | N/A | 24 du/ac | 24 du/ac |
| BMR | N/A | 7 | 7 |
| Site Data | | | |
| Lot Size (s.f.) | 106,286 | Same | 8,000 |
| Lot Width (f.t.) | 375' | Same | 120' |
| Gross Floor Area (s.f.) | 57,171 sf | 66,301 sf (includes carports) | None |
| Lot Coverage (%) | 30.12% | 36.89% | 40% max. |
| Floor Area Ratio (FAR) | 53.79% | 62.38% | None |
| No. of Units | 88 hotel rooms | 58 | 58 max. |
| Density (units/acre) | N/A | 24 du/ac | 24 du/ac max. |
| Meets 75% min? | No | Yes | 44 min. |
| Bedrooms/Unit | 1 BR units - 80 2 BR units - 8 | 14 - 1 bedroom 41 - 2 bedrooms 3 - 3 bedrooms | N/A |
| Unit Sizes (s.f.) | 1 BR units - 576 sf 2 BR units - 864 sf | 1 BR flats - 576 sf 2 BR townhomes - 1,094 sf 2 BR flats - 864 sf 3 BR townhomes - 1,405 sf | N/A |
| No. of Buildings On-Site | 7 | 7 | --- |
| ★ Building Height (ft.)*** | 31' 6" - 32' 6" | 31' 6" - 32' 6" | 30' max. |

| | <u>EXISTING</u> | <u>PROPOSED</u> | <u>REQUIRED/ PERMITTED</u> |
|---|------------------------|------------------------|--|
| No. of Stories | 2 | 2 | 2 max. |
| Setbacks (facing property) 1st Floor/2nd Floor | | | |
| ★ • Front | 45'3" | 45'3"/45'3" | 15' min. 20' avg/ 15' min. 20' avg. |
| ★ • Left Side*** | 5' | 5' / 5' | 6' / 9' |
| • Right Side | 16'1" / 16'1" | 15' / 15' | 6' / 9' |
| ★ • Total Side-yard*** | 21'1" / 21'1" | 20' / 20' | 15' / 21' |
| • Rear | 20'3" | 20'3" | 20' min. |
| Landscaping (s.f.) | | | |
| • Total Landscaping | 47,094 sf (44%) | 36,643 sf (35%) | 21,217 sf (20%) min. |
| • Landscaping / Unit | N/A | 632 sf/unit | 425 sf /unit |
| • Usable Open Space/Unit | N/A | 402 sf/unit | 400 sf /unit |
| Parking | | | |
| ★ • Total No. of Spaces*** | 101 | 108 | 109 min. |
| • No. of Covered Spaces | 0 | 58 | 58 min. |
| • Driveway Aisle Width (ft.) | 26' | 26' | 18' min. |
| Storage | | | |
| ★ • Lockable Storage (cubic feet)*** | N/A | 0 cf | 300 cf/unit |
| • Bicycle Parking | N/A | 16 | 15 |

★ *** Indicates deviation from the Zoning Code.

ANALYSIS

Background

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site:

| File Number | Brief Description | Hearing/Decision | Date |
|--------------------|---|-------------------------|-------------|
| 2003-0941 | General Plan Amendment Initiation Request | City Council | 2004 |
| 1985-0285 | New Hotel and Clubhouse | City Council | 1985 |

In January 2004, the applicant requested a General Plan Initiation Study before the City Council. Council unanimously approved the request.

A Planning Commission study session was held for the item on June 28, 2004. At that meeting, the Planning Commission expressed concern over the following issues: lack of the required 300 cubic feet of lockable storage; secured bicycle parking; compatibility with the Precise Plan for El Camino (ECR); required parking; and, variation in colors. The Commission also felt the project had several positive aspects, including: the reuse of an existing commercial building; nice architecture; and, a good location for a residential use. The applicant modified the plans subsequent to that meeting in an attempt to respond to the Commissioner's comments. The following changes were incorporated: bicycle lockers were added; some lockable storage is now proposed; and, the proposed exterior colors scheme has been altered.

Description of Proposed Project

The subject site is currently occupied by the Woodfin Suite Hotel, which was approved by the City Council in 1985. The Woodfin Suite is an extended stay business traveler's hotel that contains 88 units of varying sizes (1 and 2 bedrooms). The applicant is proposing to convert this hotel into 58 ownership condominium units at a density of 24 units per acre. In order to convert the site into ownership condominiums, a General Plan Amendment, Rezoning and Special Development Permit are required. The site has a General Plan Land Use designation of Commercial General Business and is Zoned C-2/PD (Highway Business/Planned Development) Zoning District.

Description of Site

The site fronts on East El Camino Real and is surrounded on three sides (South, East, and West) by Highway Business Zones. Across El Camino Real are an automobile dealership (Ford) and the In-N-Out Burger. To the rear of the property (north) there is an R-4 Zone (High Density Residential) containing a 173-unit, 4 story apartment rental complex.

Environmental Review

A Negative Declaration has been prepared for this project in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts (see Attachment 3, Initial Study).

Rezoning

Change Under Consideration: The site is currently Zoned C-2/PD (Highway Business/Planned Development). The applicant is requesting a Rezone from C-2/PD to R-3/ECR (Medium Density Residential/El Camino Real Precise Plan). The R-3 Zoning also requires a General Plan Amendment to Medium Density Residential.

Objective: This Rezoning request is being made to allow the applicant to concurrently apply for a Special Development Permit (SDP) to convert the 88 hotel units into 58 residential condominium units. The purpose of the ECR Combining District is to implement the vision described in the Precise Plan for El Camino Real. This vision calls for modifications, additions, and limitations to zoning district regulations in order to implement the plan for, and respond to the special conditions present along El Camino Real. In 1998, the City Council approved guidelines for the use of Combining Districts and Special Development Permits. The subject request for a Combining District meets all of the three applicable established guidelines.

- *To facilitate development or redevelopment of a site to improve the neighborhood. (Meets)*
- *To allow for a proposed use that is compatible with the neighborhood but requires deviations from development standards for a successful project. (Meets)*
- *To allow for the development and creation of lots that are less than the minimum size required in the base zoning district. (Meets)*

Discussion: The ECR Combining District enables the consideration of deviations from the Code and/or imposition of more restrictive requirements. The ECR

Combining District provides flexibility in formulating a project that promotes transition and reinvestment in the neighborhood. The ECR is a Combining District, similar in function to a Planned Development (PD) Combining District, but with specific limitations/requirements for properties along El Camino Real.

The Precise Plan for El Camino is also intended to provide a strong vision for El Camino's future growth. It categorizes land uses that are considered desirable and uses that are considered unfavorable or obsolete. The plan identifies ten Opportunity Areas along El Camino that have a higher potential for change and greater contribution towards the plan's vision. The subject site is not identified as one of these ten Opportunity Areas. All parcels on the street are required to be Rezoned to ECR when redevelopment occurs. Specifically, the Precise Plan required all properties to be Zoned either C-2/ECR, O/ECR, or R-4/ECR.

There are four other existing residential developments in the Precise Plan for El Camino Real. Three are Zoned R-4/PD and one is Zoned R-3/PD. The one R-3 project (Butcher's Corner), was Rezoned from C-2 to R-3 by the City Council when the R-3/R-4 Study Issue was completed in 1999. The other three residential projects are Zoned PD, not ECR, since they were developed before the ECR Precise Plan was adopted in 1993. The proposed Rezone would be only the second such R-3 Zone in the Precise Plan for El Camino Real. In the past, the City has Zoned residential projects on El Camino to the higher densities, such as R-4, since higher density is appropriate along El Camino and compatible with the Precise Plan.

In general, staff believes that higher density residential (R-4 or R-5) is a more appropriate land use along El Camino than medium density residential (R-3). Higher density developments are compatible with surrounding commercial developments as well as help support the surrounding businesses and can better take advantage of public transit. These types of projects usually have larger parcel sizes with larger square footage buildings, greater open space and larger traffic circulation areas. This is compatible with the surrounding commercial uses with also tend to have larger project components.

The Precise Plan allows for modification to any of the requirements of the specific plan. In order to do so, one of the two specified findings must be made. The following section is taken directly from the plan:

Modifying Requirements of the Precise Plan for El Camino Real

The provisions of this plan recognize that there may be unique circumstances which make it particularly difficult to conform to the requirements in this plan. Projects not conforming to the Precise Plan may be approved provided either of the following findings can be made:

- 1) *Deviation from the Precise Plan is minor, and the project furthers the vision for El Camino Real as specified in the Precise Plan, and granting the deviation will not impair the ability of other properties to conform to the requirements of the Precise Plan*
- 2) *The project conforms to the general development criteria specified for the underlying zoning district and there are no other reasonable alternatives for the use of the property. In the event that this is the sole basis for the request to deviate from the requirements of the Precise Plan, the following criteria shall be used to evaluate the application:*
 - *The size of the property cannot accommodate larger buildings;*
 - *The shape of the property cannot support other uses;*
 - *Any other information the Director of Community Development, Planning Commission, or City Council finds pertinent to the application.*

Staff believes the proposal meets the first finding, in that the project is a minor deviation from the Precise Plan. The Precise Plan calls for R-4 residential projects, or 28-36 units per acre, which would equate to a maximum of 87 dwelling units and a minimum of 66 dwelling units. The subject proposal for 58 units is at the maximum allowed density for this site under the R-3 Zoning. The difference between the proposed project and the R-4 density is approximately 10 to 29 units. Staff also believes the project will further the vision for El Camino Real by providing a cluster of multi-family residential on the street. In addition, granting the minor deviation will not impair the ability of other properties to conform to the requirements of the Precise Plan, since this project does not significantly affect the surrounding properties. Finally, the applicant is proposing to reuse an existing structure that is in physically sound condition and itself contributes to a positive aesthetic for El Camion Real.

Applicant's Justification: The applicant has submitted a letter of justification outlining the reasons why this project was proposed. The following is a brief summary of that letter. See Attachment #5 for a more detailed perspective.

Current Hotel Development:

- Extended stay hotels have changed dramatically in operation and architecture since this hotel was built 20 years ago.
- A paradigm shift has occurred in the hotel industry where "garden apartment style" extended stay hotels are no longer feasible business models.

Economics:

- Woodfin Suite is functionally obsolete since its product can no longer compete in the business traveler's market.
- This outdated business model is exacerbated by the current downturn in the economy.
- Revenue generated by the hotel for the City will continue to decline as the hotel continues to decline.
- The current economy along with the hotel's functional obsolescence combine to make reinvestment in the project infeasible.

Proposed Project:

- The proposal is a proactive approach to redeveloping the site rather than waiting for the inevitable decline to occur.
- The hotel is ideally suited for conversion to residential given its proximity to similar residential uses and residential style architecture.
- The proposal is an adaptive reuse by renovation, rather than a complete reconstruction of a new development.

General Plan Amendment

The site has a General Plan Land Use designation of Commercial General Business and is in the C-2/PD (Highway Business/Planned Development) Zoning District. The existing General Business Land Use designation is intended to allow a range of commercial development options, including the present hotel use. The proposed General Plan Amendment would change the Land Use designation to Medium-Density Residential. In order to convert the site into ownership condominiums, a General Plan Amendment, Rezoning and Special Development Permit are required.

Special Development Permit

Use: An SDP is required, rather than a Use Permit, since the site is in a Combining District Zone that requires an SDP. This permit addresses the use, building architecture and site layout as well as the specific deviations requested in the project.

The proposed project consists of 58 ownership condominium units at a density of 24 units/acre. 58 units is the maximum allowed density under the R-3 Zoning designation, which satisfies the housing goal of achieving at least 75 percent of the maximum allowable density (18 units/acre). Of the 58 proposed units, 55 units will be produced from the existing 88 hotel rooms.

Three new townhome units are also proposed as part of this project, in the area where the club house and pool are located. The applicant is proposing to remove both of these features from the site.

The following is a summary of the proposed units:

| Unit Type | Number of Units | Unit Type | Unit Sizes |
|------------|-----------------|-----------|------------|
| 1 Bedroom | 14 | Flat | 576 sf |
| 2 Bedrooms | 8 | Flat | 1,094 sf |
| 2 Bedrooms | 33 | Townhome | 864 sf |
| 3 Bedrooms | 3 | Townhome | 1,405 sf |

Site Layout: The proposed development meets the overall project lot coverage standards at 36.89% where 40% is the maximum allowed. There is no maximum Floor Area Ratio for projects in the R-3 Zoning District.

The applicant is proposing a side yard setback of five feet for the first and second stories, where six feet is required for the first story and nine feet is required for the second. This is a deviation from the minimum side-yard setback requirement. The applicant is also proposing a total side yard setback of 20' for the first and second stories, where 15' is required for the first story and 21' is required for the second. These setback deviations are for an existing condition and not for the proposed new building. The project meets the front and rear-yard setback requirements.

In order to meet the City's covered parking requirement, the applicant is proposing seven trellis structures, covering a total of 58 parking spaces. The trellises will be constructed of wood and will be painted to match the exterior of the buildings. This proposal will satisfy the SMC requirement for one covered parking space per unit. Currently there are no covered parking spaces on site.

The following Guidelines were considered in analysis of the project site design:

| Design Policy or Guideline (Site Layout) | Comments |
|--|---|
| Land Use and Transportation Action Statement C1.1.3: Require appropriate buffers, edges and transition areas between dissimilar neighborhoods and land uses. | The masonry walls will provide a buffer between the residential and commercial properties. The existing commercial buildings on the adjacent sites will also serve as natural buffers between uses. |

| | |
|--|---|
| Site Design B9: Residential projects may have a primarily internal orientation for privacy, providing that the site is visually linked with its surroundings by appropriate use of landscaping and building siting. | The proposed project offers private open space to each unit with internal circulation through a private drive. Additional landscaping to the site will provide an attractive overall streetscape. |
|--|---|

Surrounding Uses: The site is surrounded on three sides by commercial developments and on one side by a high-density residential project. The first commercial development to the west (closest to El Camino) is a brick-clad, neighborhood commercial center with retail and restaurant (Subway) uses. This building is sited on the property line of the subject parcel. The second commercial building is a nondescript neighborhood center also with retail and restaurant (Taqueria) uses. This building is approximately five feet setback from adjoining the property line. There is no parking or storage allowed in this area, although there is emergency access in the rear of the second building. Both buildings provide a nice buffer between the commercial activities facing Fair Oaks Avenue and the proposed residential use.

To the north is a high-density residential project, "The Highlander Apartments", consisting of 173 rental apartments. The common open space area with a pool and grass area is located close to the northern property line.

The commercial development to the east is an auto service facility. This 13,000 square foot building runs virtually the entire length of the eastern side of the property and is sited on the property line. There is no access possible in this area and the rear building's wall functions as the property line fence. This building also provides a nice buffer between the automotive activities at the site and the proposed residential use.

Noise Study: The applicant submitted an acoustical study prepared by Edward L. Pack Associates, Inc., analyzing the existing exterior noise levels at the site. The study measured the noise levels at the property lines as well as along El Camino. The measurement occurred over a 24-hour period and the results are presented as an average for the day. According to the noise study, the most significant source of noise is the noise coming from the traffic on El Camino. The study concluded that the existing windows in the buildings are sufficient to reduce the noise level below City Standards. The proposed project will meet the General Plan Noise Sub-Element and Zoning Code requirements with no extra mitigation necessary.

Architecture: The existing architecture is generally a Mediterranean-eclectic style of architecture with steep gable roofs. The majority of the structures consist of stucco material for siding and composite tiles for the roof materials.

The project proposes only minor changes to the existing buildings. The most significant change involves the removal of most of the exterior wooden stairways leading from the ground up to the second story units. Currently there are 17 stairways, and the applicant is proposing to remove 11 of these. The 6 remaining stairways are left to access the second story units that have one-story floor plans. Plan A1.2 shows where the remaining stairways are located (Attachment #4). The removal of the stairs is made possible since 33 of the new residential units will be converted into two-story townhomes with interior stairways.

The applicant has modified their previous proposed color scheme to address the Planning Commission's comments to add give more individual identity to each of the units. The applicant's preferred alternative includes warm, subdued colors, ranging from blue and grey, to an adobe tan. The front doors are still proposed to have varying colors to aid in differentiation of the units. At the meeting, the applicant will show this final color scheme to the Commissioners. In addition, the applicants have indicated they will bring several alternative color schemes for the Commission to review if the applicant's preferred alternative cannot be agreed upon.

The following Guidelines were considered in the analysis of the project architecture:

| Design Policy or Guideline (Architecture) | Comments |
|---|--|
| Architecture C2: In areas where no prevailing architectural style exists, maintain the general neighborhood character by the use of similar scale, forms, and materials providing that it enhances the neighborhood. | The proposed project will not significantly change the character of the existing buildings. |
| Architecture C9: Include decorative building elements in the design of all buildings. Add more interest to buildings by incorporating changes in wall plane and height, etc. | The Mediterranean style architecture of the buildings has a number of design elements that create a high-quality product, including decorative trellises, double-hung windows, exposed eaves with braces and gabled roof elements. |

Green Building Policy: On February 24, 2004, the City Council adopted a policy designed to encourage sustainable development throughout the City of Sunnyvale, provide education and information to the community, and to serve as an acknowledgement by the City Council of the importance of sustainable development concepts and practices. There is not currently a SMC requirement

or set of findings to make in order for private developments to qualify as sustainable, but projects may have additional merit or benefit to the City if they can be found to meet this policy.

It is the policy of the City Council to encourage new and remodeled developments within the City to incorporate sustainable building design principals in the following disciplines:

- Sustainable Sites
- Water Efficiency
- Energy and Atmosphere
- Materials and Resources
- Indoor Environmental Quality

The goals of sustainable development and green buildings are to reduce the usage of resources in construction and operation of buildings and provide better indoor environmental quality for building occupants. Sustainable development is the practice of sustainability that focuses on the built environment. Building materials and design, construction techniques, and building operations and maintenance all have environmental impacts that can be minimized.

Staff believes the applicant's proposal to reuse the existing Woodfin Suite Hotel, with minimal new construction and demolition, meets the intent of the Council's new policy on sustainability.

Landscaping: Residential uses within the R-3 Zoning District are required to provide a minimum of 400 sf of usable open space and 425 sf of total landscaping per unit. The project meets this requirement for private open space with 402 sf per unit. The site also provides adequate landscaping area with 630 sf of landscaping per unit.

Currently there is mature landscaping throughout the site, including: trees; bushes; lawns; and, other ground covers. The applicant is not proposing to remove any trees or substantially alter any of the landscape areas. The project includes the installation of 13 new trees of varying species and the addition of bushes and vines throughout the site. A tree protection and a landscaping/irrigation plan with types, quantities and sizes of trees and shrubs is required before issuance of a building permit. (See Conditions of Approval) The applicant has submitted a preliminary Tree and Landscaping plan that indicates a preliminary proposal for trees and other vegetation. (Attachment #4)

There is a pathway leading to the back of the site, around the rear buildings (Bldgs. #3, 4, and 5). The path is intended to be a linear greenbelt walkway for residents to be able to stroll around the site. The walkway passes through

several pedestrian gathering areas and leads to the spa area. The spa is proposed to remain with the project.

Use of Separation Wall: Sunnyvale Municipal Code requires a decorative masonry wall separating residential and commercial uses. In this case, the east and west property lines would be required to have 6' high walls. On the east property line, adjacent to the auto service facility, the wall is approximately 5'10" high. The wall is entirely covered with climbing vines, which add a nice visual impact to this area. The applicant is proposing to retain the wall and vines. The wall also abuts the adjacent building which is approximately 20' high. The wall on the western property line, adjacent to the neighborhood commercial center, varies in height and location. The applicant is proposing to add a 6' masonry wall on this property line. This wall is proposed to tie into the existing commercial building that is sited on the property line. The commercial building's wall is well over 10' high and will serve the intent of separating uses.

Sunnyvale Municipal Code also requires that a fifteen foot landscaped frontage be provided on site. This area may include sidewalks and be crossed by access drives and parking areas. The project meets this requirement in the front yard area.

The following Guidelines were considered in analysis of the project landscaping:

| Design Policy or Guideline (Landscape) | Comments |
|---|---|
| Land Use and Transportation Guiding Policy: Landscaping shall be used to enhance sites and buildings, control climate and noise, create transition between adjacent uses, unify various site components, and define and separate functions and activities. | The site is currently well landscaped and maintained with mature trees and vegetation. The project proposes to add new landscaping and trees which will further enhance the site. |
| Landscaping A2: Preserve and incorporate existing natural features, particularly trees, on a site into the landscape design of projects. | The project incorporates the existing mature landscaping into the proposed project. All trees and landscaping recommended to remain by the City Arborist will be saved. |
| Landscaping A4: Properly landscape all areas not covered by structures, driveways, and parking. | The site meets the total landscaping requirement for each unit and will provide 13 new trees throughout the site. |

Below Market Rate (BMR): This project will require a total of 7 Below Market Rate (BMR) Units, to meet the City's requirement of allocating 12.5% of new ownership housing units as BMR units. The BMR units will be selected in accordance with the City of Sunnyvale Below Market Rate Housing Program Administrative Procedures. The Applicant has signed a BMR Standard Permit Conditions document.

In addition to the required BMR units, the project has also incorporated 14 one-bedroom units. Although these will be sold as market rate units, they will be some of the more affordable units in the City. One-bedroom ownership units are not common and rarely developed in Sunnyvale. Staff believes these 14 units add community benefit to this project.

Required Storage: Sunnyvale Municipal Code 19.38.040 requires multi-family residential projects to provide a minimum of 300 cubic feet of separate, lockable, and weatherproof storage space. Typically, this requirement is met either by a 6 x 7 x 8 foot closet or by an attached two-car garage. In this case, the project has already been constructed and cannot meet this requirement. Only the three new units will have 300–400 cubic feet of storage space located in closets on the ground level. The applicant has stated that meeting this requirement would mean significantly altering the existing buildings or constructing a new building entirely dedicated to storage space. This new building would need to be approximately 2,300 sf, which is the approximate size of the existing clubhouse.

Instead, the applicant is proposing to use the existing attic areas above most of the units in the third story area. These areas are quite large since the roofs have steep pitches. The proposal includes the addition of pull-down ladders from the attic area down to the second floor. The attic area will be rough finished with plywood on the floor and walls. A total of 44 of the 55 proposed units will have this attic storage space included. The remaining 11 units are entirely on the ground level and do not have this attic space.

SMC requires that "Each storage space shall be accessible from a patio, deck, hallway, the exterior of a dwelling unit, or via a separate structure. Attic area shall not be calculated as storage space." The applicant is aware that attic spaces cannot count towards the required storage area, but believes that this proposal would help meet the intent of the Code requirement. Although it is still considered a deviation from SMC, the applicant also believes the attic areas will provide usable storage space for residents.

Parking/Circulation: The site currently has 1 two-way aisle looping through the interior of the project, which is a minimum of 26 feet wide. This aisle provides convenient access to parking and efficient circulation around the site. It also complies with SMC requirements for aisle width and backup distance.

At present the Woodfin Suite currently has 101 parking spaces on site, which complies with SMC. The site currently has only one access way off of El Camino, with the second access way reserved as an Emergency Vehicle Access only. The applicant is proposing to open this second driveway for entry and exit by residents. The City's Traffic Department has reviewed and recommends approval of this proposal.

The proposed project has 108 parking spaces where 109 are required by SMC. The applicant has stated that existing site constraints do not allow them to meet the Code requirements for on-site parking. The applicant has explored many different possible site configurations in order to achieve the 109 spaces, but has been unable to find an improved parking configuration.

There are currently five on-street parking spaces available on El Camino. These spaces are scheduled to be eliminated by the City's Transportation Division, along with other on-street spaces on the north side of El Camino. In their place a bike lane will be created that will eventually run the length of the street.

The following Guidelines were considered in analysis of the project parking and circulation:

| Design Policy or Guideline (Parking/Circulation) | Comments |
|---|--|
| Land Use and Transportation Guiding Policy: Project site shall be conveniently accessible to both pedestrians and automobiles. Sufficient off-street parking shall be provided for every project. On-site circulation patterns shall be designed to adequately accommodate traffic. Potential negative impacts of parking areas on adjacent uses shall be minimized and mitigated. | Although the proposal does not meet SMC requirements, staff believes there is adequate parking to meet the needs of residents and guests. On-site pedestrian circulation has been provided for. The proposed project will not negatively affect any of the surrounding properties. |

Bicycle Parking: As part of the original application, the applicant did not propose secured bicycle storage. The applicant felt that the lockers would remove areas of landscaping at a site where there was little room to spare. At the Planning Commission study session, several Commissioners voiced concerns about this lack of bicycle storage on site. The applicant responded to this by adding 16 secured bicycle lockers to the proposed project. These 16 spaces are not shown on the submitted plans since they were a late addition to the project. The lockers will be in two separate locations, each with 8 bike spaces. The first is

behind the dumpster enclosure to the left and center of the project, and the second is in the open space area near the spa.

The following Guidelines were considered in analysis of the bicycle parking:

| Design Policy or Guideline (Bicycle Parking) | Comments |
|--|---|
| Land Use and Transportation Guiding Policy: C3.5 Support a variety of transportation modes. Action Statement: C.3.5.4. Maximize the provision of bicycle and pedestrian facilities. | Installation of bike lockers may encourage bicycle traffic to and from the site. |
| Policy N1.13.5: Provide pedestrian and bicycling opportunities to neighborhood commercial services. | Provision of bicycle parking helps promote alternative modes of transportation. The projects location relative to commercial services will make walking and bicycling feasible. |

Trash Enclosure: SMC requires that multi-family uses require a centralized trash and recycling enclosure for the site. The applicant has incorporated two centralized enclosures on site, both with dumpsters and recycling containers. The enclosures had only a limited number of areas where they could realistically be located. It was important that they be close enough to the central driveway so that garbage collection was not required to roll the dumpsters a long distance, and it was also important to have the enclosures within a reasonable proximity to the units so residents do not have to haul trash very far. The final trash enclosure recommended placements were determined by a consensus of the Traffic Division, Solid Waste Division, and Planning Division.

The following Guidelines were considered in analysis of the bicycle parking:

| Design Policy or Guideline (Trash/Recycling) | Comments |
|---|--|
| Waste Water Sub-Element Goal 3.2: Ensure that all municipal solid waste generated within the City is collected and transported in a manner that protects public health and safety. | The proposal meets current SMC requirements. |

Stormwater Management: This project does not require compliance with the new Stormwater Management requirements since the project is not disturbing one acre or more of area.

Easements/Undergrounding: There are no overhead utilities located at the site. All new services are required to be undergrounded.

Tentative Map

General: The proposed project requires the subdivision of the existing 106,286 square foot property into 58 condominium, or air space lots, and one common lot. The proposed project meets the required minimum lot size (8,000 sq. ft.) and the established frontage requirement (120 ft.) for parcels in the R-3 Zoning District.

Access: All 58 units will obtain vehicular access from a single driveway located on the common lot (Lot 59). Utilities will also be placed underground in the common lot via a public utilities easement. Staff is recommending as a Condition of Approval that a maintenance agreement shall be recorded with the Tentative Map.

Transportation Impact Fee

The City's Traffic Division has indicated there would be no net increase in the trip generation at this site. This is due to the high rate of peak hour trips generated by hotel uses. Therefore, no Traffic Impact Fees will be required for this project.

Park Dedication Fee

This project is subject to Park Dedication Fees. The park dedication fees for this project are \$4,851.50/unit or \$281,387. This fee shall be collected prior to action on a Final Map.

Compliance with Development Standards

| Requested Deviations | Justifications |
|---|---|
| <ul style="list-style-type: none"> • Building heights of 31' 6" – 32' 6" where 30' is the maximum height • A side yard setback of 5' for the first and second stories where 6' is required for the first story and 9' is required for the second • A total side yard setback of 20' for the first and second stories where 15' is required for the first story and 21' is required for the | <ul style="list-style-type: none"> • Recognize that deviations in similar townhome style developments are typical, particularly for building heights and setbacks • Project makes effective reuse of an existing development • Project exceeds landscaping and open space requirements • Overall project meets lot coverage |

| | |
|--|--|
| second <ul style="list-style-type: none"> • 108 parking spaces where 109 are required • No lockable storage where 300 cubic feet of storage is required. | <ul style="list-style-type: none"> • Site layout allows for efficient circulation/parking • The project will provide additional ownership housing. |
|--|--|

The Woodfin Suite, as a commercial hotel, currently complies with all C-2 Zoning district regulations including parking, setbacks, building heights, etc. Although there is little physical change proposed for the hotel, the Rezone to an R-3 Zone will automatically create several of the above listed non-conformities.

Expected Impact on the Surroundings

The proposed project will lead to a small increase in the intensity of use of the site, but no significant traffic or noise impacts are expected as a result of the project. There will not be a significant visual or aesthetic impact resulting from this project.

Expect on Sunnyvale Schools

This site is located within the Sunnyvale School District boundaries. Using the student generation rates determined by the City School District Study for long-term facility planning, 58 units would yield approximately five new students (K-8). Approximately two new high school students (Fremont Union High School) can also be expected. These are not large numbers for the school room, but cumulatively add to the impact to the school district.

Findings, General Plan Goals and Conditions of Approval

Staff was able to make the required Findings based on the justifications for the General Plan Amendment, Rezone, Special Development Permit, and Tentative Map.

- Findings are located in Attachment 1.
- Conditions of Approval are located in Attachment 2

Fiscal Impact

The Woodfin Suite Hotel has 88 rooms, which is directly comparable to three other hotels in the City. These hotels are the Best Western Inn, the Best Western Inn and Suite, and the Saint Frances Arms. These hotels have between 79 to 90 rooms each. Due to the fluctuations on the economy, staff looked at the past twelve years to determine the average Transient Occupancy Tax (TOT) remitted by these hotels. The twelve years capture the "peak" years from 1999 to 2001, as well as the "valleys" of 2001 to 2003.

Based on an average of the past twelve fiscal years, the average annual TOT remitted by each of these three hotels ranges from \$100,400 to \$154,800. (These figures have not been adjusted for inflation) The conversion of the Woodfin Suite Hotel from a hotel to residential use could mean a loss of TOT in excess of \$100,000 annually to the City.

In addition to the capital loss, there is also a loss of available hotel rooms, necessary to accommodate demand in the future. Over the past two years, Sunnyvale hotels have seen a significant reduction in both average occupancy rate and average room rate. These decreases are directly related to the considerable downturn in the local economy and the current state of uncertainty surrounding the global economy. Based on the most recent level of receipts, the City's Finance Department believes that TOT revenues have reached their lowest point in the current economy. The Finance Department is now beginning to perceive slow, but measured, indications of revenue growth.

Beginning in approximately 1995, improved economic conditions led to higher occupancy rates and room charges, as well as a growth in the hotel/motel industry. During the boom years of 1999-2000, the City's TOT revenue enjoyed significant growth, with year 2000 being an exceptional year for the Silicon Valley hotel industry. In fiscal year 2003-2004, TOT represented the fifth largest General Fund revenue source for the City. In prior years, 1999-2000, TOT was the third largest source of revenue.

The bulk of the TOT revenue stems from weekday business travel, as evidenced by an extremely high level of correlation between TOT revenue and sales tax revenue from the Business and Industry category.

The City would receive new revenue generated by property taxes from the new residential units, but it is generally accepted that residential property taxes may only just cover the increase in services the City must now provide. This income from the new residential units will amortize over time to a point where property tax revenue will no longer pay for these services. Therefore, if the project is approved, the City will experience a loss of TOT revenue but will initially gain significant new revenue from property taxes. Over time though, this new revenue will decrease to much less than the TOT revenue would become.

The applicant has stated in his letter of justification that Woodfin Suite can no longer compete in the business traveler's market since this business travelers hotel model is now functionally obsolete. This means that revenue generated by the hotel for the City would continue to decline as the hotel continues to fall further into a state of obsolescence. Therefore, the City very is likely to see continuing decline in the TOT revenue.

Conclusion

Staff believes that this project provides a high quality residential project with the following benefits to the City: increased average open space and landscaping per unit; preservation of mature landscaping on the site; 7 new Below Market Rate housing units; adaptive reuse of an existing site; and, additional ownership opportunities. Staff finds adequate justification to approve the requested deviations with the Conditions of Approval.

However, if the Commission finds that the deviations for parking and lockable storage are too significant a departure from SMC, staff suggests that the new units replacing the club house be eliminated. In their place, lockable storage and parking would be provided. This could be added as a condition of approval for this project.

Public Contact

| Notice of Negative Declaration and Public Hearing | Staff Report | Agenda |
|---|--|--|
| <ul style="list-style-type: none"> Published in the <i>Sun</i> newspaper Posted on the site <u>259</u> notices were mailed to the property owners and tenants within 300 ft. of the project site | <ul style="list-style-type: none"> Posted on the City of Sunnyvale's Website Provided at the Reference Section of the City of Sunnyvale's Public Library | <ul style="list-style-type: none"> Posted on the City's official notice bulletin board City of Sunnyvale's Website Recorded for SunDial |

Alternatives

1. Recommend that the City Council adopt the Negative Declaration and introduce an Ordinance to Rezone 635 E. El Camino Real from C-2/PD to R-3/ECR and approve the Special Development Permit and Tentative Map with the attached conditions.
2. Recommend that the City Council adopt the Negative Declaration and introduce an Ordinance to Rezone 635 E. El Camino Real from C-2/PD to R-3/ECR and approve the Special Development Permit and Tentative Map with modified conditions.

3. Recommend that the City Council adopt the Negative Declaration and do not introduce an Ordinance to Rezone 635 E. El Camino Real from C-2/PD to R-3/ECR and deny the Special Development Permit and Tentative Map.
4. Recommend that the City Council does not adopt the Negative Declaration and direct staff as to where additional environmental analysis is required.

Recommendation

Recommend Alternative 1 to the City Council.

Prepared by:

Steve Lynch
Project Planner

Reviewed by:

Fred Bell
Principal Planner

Reviewed by:

Trudi Ryan
Planning Officer

Attachments:

1. Recommended Findings
2. Recommended Conditions of Approval
3. Negative Declaration/Initial Study
4. Development Plans
5. Letter from the Applicant
6. Draft Rezoning Ordinance

General Plan Goals and Policies

Housing and Community Revitalization Sub-Element

Policy A.2: *All new residential developments should build at least 75 percent of the permitted density.*

The proposal meets this goal with 58 housing units, where 44 units would be the 75 percent minimum allowed.

Policy C.1: *Continue efforts to balance the need for additional housing with other community values, such as preserving the character of established neighborhoods, high quality design, and promoting a sense of identity in each neighborhood.*

The project provides needed housing opportunities within a neighborhood where residential services are within walking proximity. The multi-family style of housing is compatible with the adjacent uses and the architectural design of the development will enhance the visual impact on El Camion Real.

Goal D: *Maintain diversity in tenure, type, size, and location of housing to permit a range of individual choices for all current residents and those expected to become city residents.*

The project provides additional ownership opportunities within a multi-family style of residential development. The proposal meets this goal with 14 one-bedroom units, 33 townhome style units, and 11 two-bedroom units.

Goal E: *Maintain and increase housing units affordable to households of all income levels and ages.*

The proposal meets this goal with 7 new BMR units as well as 14, one-bedroom units.

Land Use and Transportation Element

Policy N1.2: *Require new development to be compatible with the neighborhood, adjacent land uses and the transportation system.*

The development provides an additional 58 housing units where a hotel currently exists. The project site is situated between an existing high-density multi-family use and commercial uses.

Action 1.4.2: *Site higher density residential development in area to provide transitions between dissimilar neighborhoods and where impacts on adjacent land uses and the transportation system are minimal.*

The site provides as a transition from lower density residential uses to the north and higher density to the south.

Community Design Sub-Element

Policy C.4: *Encourage quality architectural design, which improves the City's identity, inspires creativity, and heightens individual as well as cultural identity.*

The proposed architecture incorporates high quality design with and significant improves the visual appearance of the site.

Recommended Findings – General Plan Amendment

In order to make the findings for a General Plan Amendment, consistency with the General Plan must be established. As shown in the above General Plan goals and policies, there are policies that support a medium-density residential project. This land use is compatible with the surrounding General Plan designations and land uses and the location is appropriate for medium density.

Recommended Findings - Rezone

In order to approve a Rezoning request the City Council is required by Zoning Code Section 19.92.050 to make a finding that "the amendment, as proposed, changed, or modified, is deemed to be in the public interest." The proposed Rezoning is consistent with this finding because it is consistent with the proposed General Plan land use designation and assists the City in meeting its housing goals by adding 58 condominium ownership units.

Recommended Findings - Special Development Permit

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

The proposed project will create 58 homeownership units including 7 Below Market Rate units and 14 one-bedroom units. This residential project would be within walking distance of transit services and of supporting commercial uses. The project would be in substantial conformance with the Precise Plan for El Camino Real.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either, the orderly development of, or the existing uses being made of, adjacent properties.

The proposed architecture meets the City-Wide Design Guidelines, will be a benefit to El Camino Real, and will not interfere with the surrounding commercial uses.

Recommended Findings - Tentative Map

Staff is able to make the finding that the Tentative Map, with the conditions of approval, is in conformance with the Sunnyvale Municipal Code and recommends approval of the map as attached.

The condominium subdivision, together with the provisions for its design and improvements, is consistent with the objectives, policies, general land uses and programs of the General Plan. The project, in conjunction with an approved Special Development Permit, meets the overall density allowed in the proposed R-3 Zoning District and supports a land use that is compatible with the East El Camino Real neighborhood. The project also meets the goals and policies of the General Plan, as enumerated above.

However, the approving authority shall deny the Tentative Map if it makes any of the following findings:

- A. That the subdivision is not consistent with the General Plan.
- B. That the design or improvement of the proposed subdivision is not consistent with the General Plan.
- C. That the site is not physically suitable for the proposed type of development.
- D. That the site is not physically suitable for the proposed density of development.
- E. That the design of the subdivision or proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- F. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
- H. That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code.

Recommended Conditions of Approval - Special Development Permit

In addition, to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

A. Planning

1. Execute a Special Development Permit document prior to issuance of the building permit.
2. Reproduce the conditions of approval on the plans submitted for building permits.
3. If not exercised, this Special Development Permit shall expire two years after the date of approval by the final review authority.
4. This Special Development Permit is valid only in accordance with the approved plans. Any major use, site, or architectural modifications shall be treated as an amendment to the original approval, and shall be subject to approval at the public hearing before the Planning Commission. Minor modifications may be approved by the Director of Community Development. Specific Deviations allowed with this Special Development Permit are as follows:
 - Building heights of 31' 6" – 32' 6" where 30' is the maximum height
 - A side yard setback of 5' for the first and second stories where 6' is required for the first story and 9' is required for the second
 - A total side yard setback of 20' for the first and second stories where 15' is required for the first story and 21' is required for the second
 - 108 parking spaces where 109 are required
 - No lockable storage where 300 cubic feet of storage is required
5. Prior to the issuance of a grading permit, a "Blueprint for a Clean Bay" shall be submitted and approved by the City.
6. The development of the site is subject to Stormwater Pollution Prevention's Best Management Practices (BMPs) and shall be incorporated into its design to the extent feasible.
7. An Impervious Surface Data Calculation worksheet is required to be completed and submitted for the California Regional Water Quality Control Board prior to issuance of a Building Permit.

8. Individual air conditioning units, if to be used, shall not be window mounted and shall be screened from view from within the project and from adjacent streets.
9. The attics shall be rough finished with plywood on the floor and walls. A total of 44 of the 55 proposed units will have this attic storage space included. The remaining 11, with no attic areas, are not required to have this storage area.

B. Below Market Rate Units

1. The project will provide a total of 7, for purchase, below market rate units. Sales prices will be determined by the Director of Community Development at the time of building permit issuance in accordance with adopted codes.
2. Prior to the issuance of an occupancy permit for any part or phase of the development, developer shall execute and record certain "Resale Controls" in a form approved by the City Attorney which shall affect title to the designated BMR units (7 units). Such resale controls shall be designed and intended to bind successors in interest, running with the land for the period of 30 years from the date of recordation thereof. Receipt by the Director of Community Development or his designee of proof of recordation of the resale controls shall be a condition precedent to issuance of a permit to occupy the development.
3. Conditions applying to any ownership units:
 - A. The original sales price of ownership BMR units shall comply with sales prices established by City Council.
 - B. Developer shall offer said BMR units for sale only to persons qualified under the terms of Sunnyvale Municipal Code Chapter 19.66, as amended. Offers shall be in writing and shall be held open for no less than 90 days.
 - C. Following acceptance of an offer of sale, developer shall execute all necessary sales documents, and shall use its best efforts to complete each sale transaction.
4. In the event that any BMR unit or portion thereof is destroyed by fire or other cause, all insurance proceeds there from shall be used to rebuild such units, or, in the alternative, shall be used to repay any encumbrance on such units, and the balance, if any, shall be distributed to the City of Sunnyvale. Grantee hereby covenants to cause the City of Sunnyvale to be named an additional insured party to all fire and casualty insurance policies pertaining to said assisted units.

C. Homeowners Association

1. A copy of the recorded CC&Rs shall be submitted to the Planning Division prior to the issuance of the building permit. The CC&Rs shall include:
 - Provisions for short and long term maintenance of the common lot, landscaping areas, recreational areas, parking, driveways, and utility connections.
 - All curbs along the projects private street and driveways be signed as "no parking" and marked as a red curb.
 - Provisions for a homeowners association.
 - Membership in and support of a homeowners association shall be mandatory for all property owners within the development. The homeowners association shall control all common faculties and shall obtain approval from the Director of Community Development prior to any modifications of the CC&Rs pertaining to or specifying the City or City requirements
 - All public/private easements pertaining to the project shall be identified and/or defined and made aware to the homeowners in the CC&R's.
 - The Homeowners Association shall maintain landscaping in perpetuity in the landscape easement area along El Camino Real Ave. fronting the project site.
 - The developer shall maintain all private utilities and landscaping for a period of three years following installation of such improvements or until the improvements are transferred to a Homeowners Association, following sale of at least 75% of the units, whichever comes first. (Provisions in the Subdivision Agreement)
 - Homeowners are prohibited from modifying drainage facilities and/or flow patterns without first obtaining permission from the City.
 - There shall be provisions of post construction Best Management Practices in the CC&R's in regards to the stormwater management.

D. Landscaping and Site Plans

1. Landscape and irrigation plans shall be submitted for review and approval by the Director of Community Development prior to the issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy. The Landscape Plan shall include the following elements:
 - A tree protection plan shall be submitted for any existing trees on the site or adjacent right-of-way. Where possible, trees shall be

protected and saved. Provide an inventory and valuation of any trees proposed to be removed prior to issuance of building permits.

- Any protected trees, (as defined in SMC Section 19.94) approved for removal, shall be replaced with a specimen tree as approved by the Director of Community Development.
 - Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration, and minimize the use of fertilizers and pesticides that can contribute to water pollution.
 - Where feasible, landscaping shall be designed and operated to treat stormwater runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.
 - Pest-resistant landscaping plants shall be considered for use throughout the landscaped area, especially along any hardscaped area.
 - Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent possible.
 - Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
 - All areas not required for parking, driveways or structures shall be landscaped.
2. Soil mitigation measures shall be added in locations where new trees are planted adjacent to new paving areas, so that future tree roots do not cause damage to the surrounding hardscape. The Director of Community Development shall have final approval prior to issuance of the building permits.
 3. At the expense of the subdivider, City forces shall install such street trees as may be required by the Public Works Department.
 4. The final design and colors of the masonry wall surrounding the property shall be approved by the Director of Community Development prior to issuance of the building permit. The wall heights and locations shall be per the above described report.
 5. Submit details and specifications of all exterior lighting to be used on each house or in the front yards for review and approval by the Director of Community Development. Lighting plan should include:
 - Sodium vapor (of illumination with an equivalent energy savings).
 - Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall be

of pedestrian scale and not be greater than 8 feet in height on the periphery of the project.

- Provide photocells for on/off control of all security and area lights.
- Lights shall have shields to prevent glare onto adjacent residential properties.

E. Parking/Access

1. At least 16 secured and enclosed bicycle parking lockers are required, per the submitted plans.
2. Unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels and aircraft, but excluding attached camper bodies and motor homes not exceeding 18 feet in length, shall be prohibited on the premises.
3. All uncovered parking spaces shall be labeled "Guest Parking" as approved by the Director of Community Development.
4. All curbs along the private street and driveway be designated as "no parking" and marked as a red curb.
5. All recycling and solid waste shall be confined to approved receptacles and enclosures. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for review and approval.

Conditions of Approval - Tentative Map

A. Planning Division

1. The Tentative Map shall be valid for a period of two years, measured from the date of approval by the final review authority.
2. The park dedication fees for this project are \$4,851.50/unit or \$281,387 total. This fee shall be collected prior to action on a Final Map.
3. The Final Map must be approved prior to issuance of the building permit.
4. The Tentative Map shall be applicable only in conjunction with a valid Special Development Permit.
5. An easement for emergency access shall be granted to the city over the entire area of the interior street.

6. Building Permits for the lot or lots within a recorded Final Map may be issued only in accordance with a valid Special Development Permit.
7. Any proposed Deeds, Covenants, restrictions and By-Laws relating to the subdivision shall be submitted for review and approval by the Director of Community Development and the City Attorney.

B. Building Safety Division

1. Obtain Grading Permits as required (MCS 16.12.010).
2. Provide soils report prepared by a licensed soils laboratory (Res. 193-76).
3. Seal and cap any septic tanks and irrigation systems in accordance with Building Safety regulations.

C. Public Works

1. This project is subject to, and contingent upon, the approval of a tentative map and recordation of a final map prior to any permit issuance. The submittal, approval and recordation of the final map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements.
2. The developer shall execute a Subdivision Agreement and post surety bond(s) and/or cash deposit(s) for all proposed public and/or private improvements prior to any permit issuance.
3. The developer shall pay all Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees and off-site improvement plan check and inspection fees, prior to any permit issuance.
4. This project requires approval and/or permit from Caltrans.
5. Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project shall be recorded with the map or prior to occupancy.
6. All utility companies shall be contacted to establish appropriate easements to provide services to each unit.

D. Project Improvements

1. The developer is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility conduits/vaults relocation caused by the development.
2. All public improvements shall be installed per City's design standards pursuant to Sunnyvale Municipal Code Sections 18.12 unless otherwise approved by the Director of Public Works.
3. Any existing deficient public improvements shall be upgraded to current City standards as required by the Director of Public Works.
4. Obtain an encroachment permit with insurance requirements for all public improvements.
5. Record drawings (including street, sewer, water, storm drain and off-site landscaping plans) shall be submitted to the City prior to occupancy release.
6. At each of the exit driveways install a stop sign.
7. Curbside parking on El Camino Real is prohibited, unless otherwise approved by the Director of Public Works.
8. The private street will be considered a fire lane and should be marked as such.
9. This project requires connection to all City utilities or private utilities operating under a City franchise which provide adequate levels of service.
10. The developer/owner is responsible for research on private utility lines (PG & E, telephone, cable, irrigation, etc.) to ensure there are no conflicts with the project.
11. All existing utility lines and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the City.
12. All units shall be served by utilities, allowing each unit to function separately from one another, unless otherwise approved by the Director of Public Works.
13. Provide the Public Works Department with a detailed estimate of water consumption in gallons per day and peak water demand in gallons per minute, and estimate of sanitary sewer generation in gallons per day

during the plan check process.

14. All proposed on-site drainage and sanitary sewer systems shall be privately owned and maintained unless otherwise approved by the City as public system(s). The fire and domestic water systems shall be privately owned and maintained beyond the meter.
15. All utility plans (PG & E, telephone, cable TV, fiber optic, etc.) shall be submitted to the Public Works Department for review and approval prior to the issuance of any permits for utility work within public right-of-way or public utility easements.
16. Install sanitary sewer service backflow prevention device as required by Building Division when the upstream manhole finished grade elevation is higher than the finished floor elevation where the fixture units exist.
17. Manhole(s) must be installed at the property line for mains that are to maintained privately for high density development.
18. No flushing outlets allowed in the sanitary sewer system - use manhole in place of flushing outlet.
19. Installation of the water system shall conform to City standards and shall be part of the City system up to the master water meter serving the project.
20. Installation of new Radio Read meters will be required.
21. Fire service and domestic service shall be separate.
22. Install an approved backflow prevention device on the discharge side of the irrigation, domestic (non-residential) and fire service meters.
23. This project shall not cause any negative impact on the drainage pattern for adjacent properties. Provide adequate drainage modification on adjacent properties as needed with consent from adjacent property owners.
24. All landscape and irrigation systems, located in the public park-strip areas shall be connected to the water system metered to the property owner.
25. A separate irrigation water meter with backflow prevention device shall be installed.

26. No utility trench shall be allowed within 15' radius of an existing mature tree. Boring, air spade or other excavation method as approved by the City Arborist shall be considered to protect existing mature tree. Consult with the City Arborist prior to adjusting locations of utility lines.
27. All catch basins and storm drain inlet facilities shall be stenciled with the appropriate "No Dumping" message as supplied by the Public Works Department.

E. Fire Prevention

1. Comply with the Sunnyvale Fire Prevention Code (MC 2099-84; Title 19 of Calif. Admin. Code Sec.1.12(l); UFC 1982 Edition).
2. The water supply for fire protection and fire fighting systems shall be installed and operational prior to any combustible construction on the site (MC 16.52.170).

F. Other Public Agencies

1. Pay School Tax fees prior to issuance of a Building Permit.